

**BERRYVILLE TOWN COUNCIL  
PERSONNEL COMMITTEE  
Friday, October 2, 2015  
Berryville-Clarke County Government Center  
Called Meeting  
9:00 a.m.**

**MINUTES**

**Roll:**

**Town Council:**

Present: Harry Lee Arnold, Jr., Chairman; Wilson Kirby

**Staff:** Keith Dalton, Town Manager; Christy Dunkle, Assistant Town Manager/Planner

**Press:** None

**1. Call to Order**

Chairman Arnold called the regular meeting to order at 9:00 a.m.

**2. Discussion – Recommendation for appointment to Town Boards**

Mr. Dalton and Ms. Dunkle discussed membership on various boards. The Committee discussed the need to interview candidates for the Berryville Area Development Authority, the Board of Zoning Appeals, and the Planning Commission. The dates for interviews were set for: October 19, 21, 23, 26, 28, and 30 from 9:00 am until noon. Chairman Arnold will work with staff to schedule interviews.

**3. Other**

There was no other business to discuss.

**4. Adjourn**

There being no further business, the meeting was adjourned at 9:30 a.m.

**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**Berryville-Clarke County Government Center**  
**Regular Meeting**  
**October 13, 2015**  
**7:30 p.m.**

Present:

**Town Council:** Wilson Kirby, Mayor; Harry Lee Arnold, Jr., Recorder; Allen Kitselman; Doug Shaffer; Mary Daniel; David Tollett

**Staff:** Keith Dalton, Town Manager; Christy Dunkle, Assistant Town Manager/Planner; Neal White, Chief of Police; Ann Phillips, Town Clerk

**Press:** Val Van Meter, Winchester Star

1. Call to Order

Mayor Kirby called the meeting to order at 7:31 p.m.

2. Pledge of Allegiance

3. Public Hearing (No public hearing was scheduled.)

4. Approval of Minutes of the September 8, 2015 Regular Meeting

**Upon motion by Recorder Arnold, seconded by Council member Kitselman, the minutes of the September 8, 2015 meeting were approved by the following vote:**

Wilson Kirby - Aye

Harry Lee Arnold, Jr. - Aye

Mary Daniel - Aye

Allen Kitselman - Aye

Douglas Shaffer - Aye

David Tollett - Aye

5. Citizens' Forum

Mayor Kirby recognized Alton Echols, 400 Custer Court, who complemented the Streets and Utilities Committee and the Town Public Works Department. He said that recently a fantastic job had been done involving not only the paving but the preliminary work on the streets prior to paving.

Mr. Echols referenced the recent public hearing saying he was confused by the numbers given by one of the speakers, Mr. Patz. Mr. Echols said he wanted to note estimates of tax revenue generated from the proposed Marlyn project are \$325,760, with tax supported costs estimated at \$120,990 leaving a net benefit of \$204,770. He added that the computed costs for seniors were not accurate and he expects a larger benefit to the community, citing tap fees, fees for hospital transport, water/sewer fees, new jobs in the community, and the proffers to fire and rescue services. Mr. Echols added that at Mary Hardesty House, residents pay \$860 each per year in taxes. He concluded by saying that new housing is never bought by locals, and urged the Council to consider supporting the proposed senior housing project.

6. Report of Wilson Kirby, Mayor

A. The Mayor said he wished to recognize and honor Barbara Byrd, member of the Clarke County Board of Supervisors, for her service and for faithfully attending the Council meetings as she represents a portion of Town residents on the County Board.

B. Mayor Kirby asked Mr. Dalton to speak about the proposed Snow Emergency Routes. Mr. Dalton explained that discussion of snow emergency routes had begun last winter with North Buckmarsh, Main St., and Hermitage Blvd. being considered by administrative and public works staff. He said North Buckmarsh is one of the biggest problems in terms of snow removal.

Mr. Dalton reported the following streets had been considered for designation as snow emergency routes:

Buckmarsh Street

Hermitage Blvd.- This collector road serves an important role in moving traffic in Berryville.

Mosby Blvd. – This collector road serves an important role in moving traffic in Berryville. The community's only supermarket is located on this street

Jackson Drive – This street provides a link between Hermitage Blvd. and Mosby Blvd.

Lincoln Avenue and Tyson Drive between Hermitage Boulevard and Lincoln Avenue- Johnson Williams Middle School, which is accessed from Lincoln Avenue, serves as a community emergency shelter and as a VDH inoculation site. The section of Tyson under consideration connects Hermitage Blvd. to Lincoln Avenue.

Mr. Dalton said a general discussion had added Mosby Blvd., Jackson Dr., Tyson Dr., and Lincoln Ave. to those streets being considered for designation as snow emergency routes, but that VDOT concerns resulted in Mosby and Jackson being removed from consideration.

Mr. Dalton said the staff recommendation for snow emergency routes is as follows: North Buckmarsh Street, Hermitage Boulevard, and a portion of Tyson Drive between Hermitage Boulevard and Lincoln Avenue. He said Lincoln Avenue, originally included to allow access to the middle school which is the emergency shelter, had been removed because not all residents of the street have off-street parking and therefore have to park on Lincoln Avenue. Mr. Dalton recommended the ordinance labeled item B included in the agenda packet. He said VDOT wants a specific beginning and end to the snow emergency period, so the emergency begins when two inches of snow is on the ground, and remains in effect for 24 hours. He added that a change in code was recently made allowing any vehicle impeding traffic to be towed, which will facilitate the snow emergency route operations.

Snow emergency route signage was discussed.

Council member Daniel said she had knocked on all the doors on Lincoln, and most residents were happy with the snow route designation.

The Mayor noted that staff had made a recommendation, and asked if any Council member or audience member had questions.

Mayor Kirby recognized Loretta Metcalf of 236 Hermitage Blvd. who asked whether the plowing will be curb to curb when the snow emergency is in effect, and the Mayor responded yes. Ms. Metcalf then asked how residents would know if the snow emergency is in effect. Mr. Dalton said the snow emergency will be in effect when two inches of snow has fallen, or when ice begins to form. He added clarification of the curb to curb plowing saying that it may not happen immediately, since one pass is made first, then streets are plowed in order of priority, and finally paths are widened on streets as the storm allows. Mr. Dalton also noted that the farther snow is pushed back, the more it is pushed onto sidewalks.

Ms. Metcalf asked how to know when ice begins to form. Mr. Dalton said it would be when ice is visible on pavement. He suggested that if a snow event is predicted, one could assume a snow emergency would be in effect, and moving vehicles off the street would be advised.

**Council member Daniel moved that the Council of the Town of Berryville adopt the following ordinance amending Berryville Code Sections 15-19, 15-20, and 15-21 establishing snow emergency declaration and snow emergency routes. Council member Shaffer seconded the motion which carried.**

AN ORDINANCE DATED OCTOBER 13, 2015  
AMENDING SECTIONS 15-19, 15-20, AND 15-21 OF THE CODE OF THE TOWN OF  
BERRYVILLE, CONCERNING SNOW EMERGENCY DECLARATION AND ROUTES

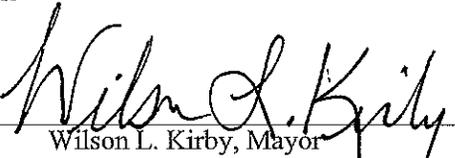
BE IT ORDAINED, by the Council of the Town Of Berryville, that Sections 15-19, 15-20, and 15-21 of the Code of the Town of Berryville is amended as attached.

VOTE:

Aye – Wilson Kirby  
Harry Lee Arnold, Jr.  
Mary Daniel  
Allen Kitselman  
Douglas Shaffer  
David Tollett

Nay – None

Absent – None

SIGNED:   
Wilson L. Kirby, Mayor

Attest:  Date: 10-13-15  
Harry L. Arnold, Jr., Recorder

Sec. 15-19. - Declaration and duration of snow emergency.

(a) Whenever ice begins to form or snow of a depth of two (2) inches or more lies on the streets within the town a snow emergency shall be deemed to be in effect.

(b) A snow emergency shall remain in effect for twenty-four (24) hours from the time of the last snow or formation of ice, unless sooner lifted by the Town Manager.

(Ord. of 12-10-96)

Sec. 15-20. Snow Emergency Routes

The following streets within the Town are hereby designated as snow emergency routes and shall be posted at intervals of not less than one thousand five hundred (1,500) feet as specified in the Virginia Manual on Uniform Traffic Control Devices for Streets and Highways:

North Buckmarsh Street  
Hermitage Boulevard  
Tyson Drive between Hermitage Boulevard and Lincoln Avenue

Sec. 15-21. Operation and Location of Motor Vehicles During Snow Emergency

(a) During the period a snow emergency is in effect pursuant to Section 15-19 of this Code, it shall be unlawful for any person to operate a motor vehicle which is not equipped with effective tire chains or effective snow tread tires on any of the streets within the town.

(b) During the period a snow emergency is in effect pursuant to Section 15-19 of this Code, it shall be unlawful for any person to park or abandon a vehicle in the traffic lanes or travelway of any street within the town, or to obstruct or impede traffic or snow removal operations on any street within the town.

(c) During the period a snow emergency is in effect pursuant to Section 15-19 of this Code, it shall be unlawful for any person to park a motor vehicle on any designated snow emergency route.

(d) Upon information that a vehicle is parked, stalled, stuck or abandoned in the traffic lanes or travelways of any street within the town or otherwise obstructs or impedes snow removal operations by the town or parked on any snow emergency route in violation of subsection (c) above, during the time a snow emergency is in effect pursuant to Section 15-19 of this Code, a police officer may authorize immediate removal and storage of any such vehicle.

(e) The cost of removing and storing any vehicles towed or otherwise removed pursuant to subsection (d) above shall be charged to the owner and shall be due and payable prior to the release of any such vehicle to the owner.

(f) Any person convicted of any violation of any provision of this section shall be fined not more than fifty (\$50.00) for each offense.

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7. Report of Christy Dunkle, Asst. Town Manager for Community Development

A. Ms. Dunkle said there were three action items as follows:

1. Set a Public Hearing – Text Amendment to the Berryville Area Plan
2. Set a Public Hearing – Text Amendment to the Berryville Zoning Ordinance Section 615.4
3. Set a Public Hearing – Text Amendment to Article VII, Section 703.6(b)viii of the Berryville Zoning Ordinance

By consensus, the Council set the three public hearings for the November 10 Council meeting.

B. Ms. Dunkle referenced Tourist Oriented Directional signs saying the Town/County Committee has been working with Mr. Newcomb of Virginia Logos. She noted the samples included in the agenda packet. Recorder Arnold asked if the pricing in the packet was per sign or per pair of signs. Ms. Dunkle said the price was per sign. Council member Daniel asked if the Town insurance would cover damage to the signs, and Mr. Dalton said he would inquire.

Mayor Kirby asked about the process, and Ms. Dunkle said the County group will meet again soon, noting the time frame has sped up. She added this was a good time to jump into the process.

C. Ms. Dunkle referenced Wayfinding signs saying Frazier and Associates designed four signage packages through the Main Street program, and the VDOT process is very costly before signs can be installed. She said staff would like to discuss branding and move forward. Mr. Kitselman said he was in favor of moving forward with the branding selection.

Recorder Arnold asked if it could be five years before signage was installed, and Ms. Dunkle said it would probably be five years.

Mr. Dalton said the consensus is the first priority is a discussion of branding ensuring consistent choices and a theme. He suggested the topic be sent to the Community Improvements Committee and they could put a package together and send it back to Council. By consensus, the Council agreed to accept the branding included in the presented package, and also to have the Community Improvements Committee handle the process in the future.

Recorder Arnold asked if the Council could approach state legislators about streamlining the process since it is aimed at assisting localities with signage to improve their economies, but in effect is time consuming and very expensive. Council agreed it would be a good idea to ask legislators.

D. Ms. Dunkle said staff had completed paperwork for additions to the VDOT Urban Highway System and Maintenance Inventory and Beauregard Court and Delany Court have recently been completed. She said the following streets, while constructed for a number of years, are eligible for reimbursement: McClellan Street, a portion of Springsbury Road from Jack Enders Blvd. to the entrance of the Berryville Glen subdivision, and Bundy Street which was not brought in with the balance of the secondary streets in 2012. She said staff has confirmed that Bundy, formerly Blackburn Street, was

established prior to 1950 which is required for streets with nonconforming right-of-way widths. She added Burwell Court will come into the system in the near future.

Recorder Arnold moved that the Council of the Town of Berryville approve the following resolution requesting VDOT acceptance of McClellan Street, Beauregard Court, Delany Court, Bundy Street, and a portion of Springsbury Road for inclusion in the VDOT Urban Highway System and Maintenance Inventory in order for the Town to receive municipal assistance maintenance funding. Council member Kitselman seconded the motion which carried as follows:

Wilson Kirby - Aye  
Harry Lee Arnold, Jr. - Aye  
Mary Daniel - Aye  
Allen Kitselman - Aye  
Douglas Shaffer - Aye  
David Tollett - Aye

RESOLUTION OF GOVERNING BODY OF  
The Town of Berryville

The governing body of the Town of Berryville, Virginia, consisting of 6 members, in a duly called meeting held on the 13th day of October, 2015 at which a quorum was present, RESOLVED as follows:

A RESOLUTION: REQUESTING ACCEPTANCE OF McCLELLAN STREET, BEAUREGARD COURT, DELANY COURT, BUNDY STREET, AND A PORTION OF SPRINGSBURY ROAD INTO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) URBAN HIGHWAY SYSTEM AND MAINTENANCE INVENTORY

WHEREAS, the streets referenced above and have been completed and are now eligible for VDOT maintenance funding; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Berryville, Virginia hereby requests VDOT to accept the streets referenced above as identified on the attached U-1 form and accompanying documentation into the Urban Highway System and Maintenance Inventory for maintenance payments in accordance with § 33.1-41.1 of the Code of Virginia, 1950 as amended.

Passed this 13th day of October, 2015.

THE TOWN OF BERRYVILLE

Attest: Wilson L. Kirby

By: Wilson L. Kirby, Mayor

CERTIFICATION

I hereby certify that the above resolution was duly adopted by the Council of the Town of Berryville, in a duly assembled meeting on the 13th day of October, 2015.

Harry Lee Arnold, Jr.  
Harry Lee Arnold, Jr., Recorder



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8. Report of Keith Dalton, Town Manager

Mr. Dalton said he had nothing to report.

9. Report of H. Allen Kitselman, III – Berryville Area Development Authority Liaison

Council member Kitselman said a schedule has been established for the Berryville Area Plan review. He said on October 28, 2015, at 5 p.m., public input will be received, followed at 7 p.m. on the same day with a PowerPoint presentation about the Plan update. He added that copies of the plan are available in the Town and County offices, and on their respective websites.

10. Report of Harry Lee Arnold, Jr., - Chair, Budget and Finance Committee

Recorder Arnold had nothing to report.

11. Report of H. Allen Kitselman, III - Chair, Community Improvements Committee

Council member Kitselman noted that a memorial service for Isaiah "Mike" Brown will be held at 2 p.m. on Friday, October 16, at Enders & Shirley Funeral Home.

12. Report of Douglas A. Shaffer – Planning Commission Liaison

Council member Shaffer had nothing to report.

13. Report of Mary L. C. Daniel – Chair Police and Security Committee

**Upon motion of Wilson Kirby, seconded by Council member Daniel, the minutes of the Police and Security Committee meeting of September 9, 2015, were approved unanimously.**

Council member Daniel reported there had been an informative session with VDOT and State Police representatives regarding residents' concerns of speeding and engine brake noise on Buckmarsh Street. Council member Kitselman asked why other jurisdictions have signs prohibiting engine brakes if Berryville is not allowed to have them. Mr. Dalton responded saying the Town removed the signs when asked to do so by VDOT, and it appears that other jurisdictions have not been asked to do so yet. He offered clarification saying it was a VDOT Memorandum that states engine brakes are a safety feature and cannot be regulated, noting that when installed and working properly, the brakes do not make excessive noise.

Council member Daniel relayed a positive report she had from some residents on Page Street who commended the Town Police Department for their response to an issue involving their child with special needs. She said the residents were very complimentary of the way in which Sgt. Bristol and Officer Graham handled the problem, and as newcomers to the Town, these residents were now sure they had moved to the right place.

14. Report of Wilson Kirby – Chair, Streets and Utilities Committee

**Upon motion of Council member Shaffer, seconded by Mayor Kirby, the Streets and Utility Committee meeting minutes of September 11, 2015, were approved unanimously.**

Mr. Dalton noted that paving on Buckmarsh Street is scheduled to be finished on Thursday, October 15, and Liberty and Walnut streets will be paved once Buckmarsh is finished.

15. Report of Harry Lee Arnold, Jr. – Chair, Personnel Committee

Upon motion of Wilson Kirby, seconded by Recorder Arnold minutes of the Personnel Committee meeting of October 2, 2015, were unanimously approved.

Upon motion of Recorder Arnold, seconded by Council member Kitselman, Mayor Wilson Kirby was re-appointed unanimously to the Northern Shenandoah Valley Regional Commission Board of Directors for a one-year term to end on October 12, 2016.

Upon motion of Recorder Arnold, seconded by Council member Kitselman, Christy Dunkle was re-appointed unanimously as an alternate to the Northern Shenandoah Valley Regional Commission Board of Directors for a one-year term to end on October 12, 2016.

16. Other

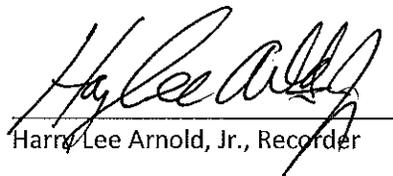
Mayor Kirby recognized Lonnie Grimes who said he was a new resident of Berryville Glen and asked for information on how the water and sewer billing is determined because he thinks the rates are high. Mr. Dalton explained Council has set the rates to cover the debt payment on the new waste water treatment plant. He said the plant was required by the State to reduce the nutrient load in the Chesapeake Bay. Mr. Grimes said meters should be installed on the outgoing sewage as well as the incoming water. Mr. Dalton explained that sewer meters are very expensive and not user friendly. He also noted that the only income the sewer fund has is from the system users and therefore any reduction in revenue would have to be made up.

Chief White noted the Homecoming Parade is scheduled for October 22 at 5 p.m., and asked that everyone be aware of potential traffic delays.

17. Adjourn

There being no other business, upon motion of Council member Daniel, seconded by Council member Tollett, the meeting was adjourned at 8:47 p.m.

  
Wilson Kirby, Mayor

  
Harry Lee Arnold, Jr., Recorder